

House Bill 660 (AS PASSED HOUSE AND SENATE)

By: Representatives Cummings of the 16th, Bridges of the 10th, Yates of the 73rd, and Forster of the 3rd

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Firefighters' Pension Fund, so as to provide for creditable service in the fund for certain active military duty; to provide for the calculation of creditable service on a monthly basis; to amend Chapter 7A of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Class Nine Fire Department Pension Fund, so as to provide for creditable service in the fund for certain active military duty; to provide for the calculation of creditable service on a monthly basis; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Firefighters' Pension Fund, is amended by inserting at the end of Article 5, relating to service creditable toward retirement, two new Code sections to read as follows:

"47-7-88.

(a) The provisions of this Code section apply solely to any member of the fund who left active employment as a firefighter as a result of being called to active duty as a member of the Army or Air Force National Guard or the Army, Air Force, Navy, or Marine Corps Reserve and who returned to employment as a firefighter upon being released from such active duty.

(b) Any member of the fund shall be entitled to receive creditable service for a period of break in service due to being called to active military duty. To receive such creditable service, a member must make application to the board and pay the normal monthly dues for each month of such period of break in service not later than one year following the member's release from active duty and return to employment.

1 47-7-89.

2 The board is authorized to calculate creditable service on a monthly basis, expressed as a
3 fraction of a year, for periods of time less than a year."

4 **SECTION 2.**

5 Chapter 7A of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
6 Class Nine Fire Department Pension Fund, is amended by inserting at the end of Article 5,
7 relating to transferability, the following:

8 "47-7A-83.

9 (a) The provisions of this Code section apply solely to any member of the fund who left
10 active employment as a firefighter as a result of being called to active duty as a member of
11 the Army or Air Force National Guard or the Army, Air Force, Navy, or Marine Corps
12 Reserve and who returned to employment as a firefighter upon being released from such
13 active duty.

14 (b) Any member of the fund shall be entitled to receive creditable service for a period of
15 break in service due to being called to active military duty. To receive such creditable
16 service, a member must make application to the board and pay the normal monthly dues for
17 each month of such period of break in service not later than one year following the
18 member's release from active duty and return to employment.

19 47-7A-84.

20 The board is authorized to calculate creditable service on a monthly basis, expressed as a
21 fraction of a year, for periods of time less than a year."

22 **SECTION 3.**

23 This Act shall become effective on July 1, 2006, only if it is determined to have been
24 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
25 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
26 become effective and shall be automatically repealed in its entirety on July 1, 2006, as
27 required by subsection (a) of Code Section 47-20-50.

28 **SECTION 4.**

29 All laws and parts of laws in conflict with this Act are repealed.